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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/925,002 | 08/08/2001 | Tom-Chin Chang | JCLA 7428 | 3609 |

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| EXAMINER | |
|---|---|
| BAKER, CHARLOTTE M | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2626 | |

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/925,002 | CHANG ET AL. | |
| | Examiner | Art Unit | |
| | Charlotte M. Baker | 2626 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments regarding the 102 (e) rejections of claims 1-6 filed on 06/28/2005 have been fully considered but they are not persuasive. Examiner respectfully traverses Applicant's arguments. Regarding the 102 (e) rejections, the claims were given the broadest reasonable interpretation thereby reading the compensation for all the pixels include both odd and even pixels. It can be further concluded that since Otsuka teaches averaging those pixels (pointed out by the Examiner at col. 3, ln. 30-39), this reads on the averaging limitation in independent claims 1 and 5. Claims 1 and 5 do not recite a separate averaged even output and a separate averaged odd output. Claims 1 and 5 recite averaging even and odd values to produce an (interpreted as one) averaged odd-even compensation value. Thus, Otsuka outputs one averaged value. For these reasons, independent claims 1 and 5 are properly rejected over Otsuka. Furthermore, it follows that dependent claims 2-4, and 6 are also properly rejected.

### *Priority*

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan, R.O.C on 06/08/2001. It is noted, however, that applicant has not filed a certified copy of application 90113920 as required by 35 U.S.C. 119(b).

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Otsuka (6,324,344).

**Regarding claim 1:** Otsuka discloses an input device (Figure 3, light measuring sensor 1 and A/D 9) for inputting an even data value and an odd data value (Figures 1 and 2, plurality of sensor pixels of odd and even values); an application specific integrated circuit (Figure 3, correction computing part 2) coupled to the input device (Figure 3, light measuring sensor 1 and A/D 9) for receiving the even data value and the odd data value (Figure3, gain correction computing part 4), performing a computation using the even data value, the odd data value and a preset value (Figure 2, reference integration period) to produce an even compensation value and an odd compensation value (Figure 3, gain correction computing part 4), and averaging the even compensation value and the odd compensation value to produce an averaged odd-even compensation value (average of gain correction values, col. 3, ln. 30-39); a compensation memory unit (Figure 3, ROM 7) coupled to the application specific integrated circuit (Figure 3, correction computing part 2) for holding the averaged odd-even compensation value (stored in ROM 7, col. 4, ln. 62-65).

**Regarding claim 2:** Otsuka satisfies all the elements of claim 1. Otsuka further discloses an image memory unit (Figure 3, RAM 7) coupled to the application specific integrated circuit (Figure 3, correction computing part 2) for accessing the image data values (sensor output stored in the RAM 6, col. 5, ln. 17-21); and an input/output interface (Figure 3, computing part 8)

coupled to the application specific integrated circuit (Figure 3, correction computing part 2) for accessing the image data values.

**Regarding claim 3:** Otsuka satisfies all the elements of claim 1. Otsuka further discloses an alternative-sensing device (Figure 3, light measuring sensor 1 and convert output characteristic 16 of the sensor into the intrinsic exposure characteristic 15 of the camera, col. 5, ln. 38-41), wherein the alternative-sensing device performs a plurality of alternate scanning operations (measure light passing through a photo-taking lens, col. 4, 46-50) on a document (object of photo-taking lens) and sequentially obtains a plurality of alternately scanned pixels (Figure 3, light measuring sensor 1 has a plurality of pixels, col. 4, ln. 46-47); and an analogue/digital converter (Figure 3, A/D 9) coupled to the alternative-sensing device (Figure 3, light measuring sensor 1) for digitizing the alternately scanned pixel data in analogue format into even data values and odd data values (inherent feature of an A/D converter and col. 5, ln. 10-12) and transferring (Figure 3 shows transfer from A/D 9 to correction computing part 2) the even data values and the odd data values to the application specific integrated circuit.

**Regarding claim 4:** Otsuka satisfies all the elements of claim 1. Otsuka further discloses a linear sensing device (light measuring sensor 1), wherein the linear sensing device performs a plurality of linear scanning operations (measure light passing through a photo-taking lens, col. 4, 46-50) on a document (object of photo-taking lens) and sequentially obtains a plurality of linearly scanned pixels (Figures 1 and 2, plurality of sensor pixels); and an analogue/digital converter (Figure 3, A/D 9) coupled to the linear sensing device (Figure 3, light measuring sensor 1) for digitizing the linearly scanned pixel data in analogue format into even data values and odd data values (inherent feature of an A/D converter and col. 5, ln. 10-12) and transferring

(Figure 3 shows transfer from A/D 9 to correction computing part 2) the even data values and the odd data values to the application specific integrated circuit.

**Regarding claim 5:** Otsuka disloses providing an even compensation value for compensating even-numbered pixels and an odd compensation value for compensating odd-numbered pixels (Figure3, gain correction computing part 4 performs this method step); averaging the even compensation value and the odd compensation value to produce an averaged odd-even compensation value (average of gain correction values, col. 3, ln. 30-39).

**Regarding claim 6:** Otsuka satisfies all the elements of claim 5. Otsuka further discloses wherein the method further includes using the odd-even compensation value (average of gain correction values, col. 3, ln. 30-39) to compensate the even-numbered pixels and the odd-numbered pixels during a scanning operation (col. 5, ln. 17-21).

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is (571)272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CMB

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER